

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

John Doe, :
Plaintiff. : Case No. 2:15-cv-02830
vs. : Judge James L. Graham
The Ohio State University, et al., : Magistrate Chelsey Vascura
Defendant. :

JOINT MOTION OF PARTIES TO VACATE CASE SCHEDULING ORDER

Plaintiff and Defendants Javaune Adams-Gaston, Kellie Brennan, Natalie Spiert and Matthew Page, by and through counsel, request this Honorable Court to vacate the Final Pretrial and Trial Dates set via this Court's Order of April 4, 2017 (ECF #105). The Final Pretrial Conference is currently set for April 13, 2018 and the Trial is set for May 14, 2018.

First, the parties are working with the Magistrate Judge Vascura to schedule a mediation conference in April with retired Magistrate Judge Terence Kemp. The mediation has been tentatively set for April 26.

Second, pending before the Court are Defendants' Motion for Summary Judgment on Plaintiff's Due Process claims (ECF #115) and Defendants' Motion to Dismiss Plaintiff's Title IX claims (ECF # 131).

Last, there has been no discovery conducted on Plaintiff's Second Amended Complaint per this Court's Order of June 19, 2017 (ECF # 118). That Order directed

Plaintiff to submit a discovery plan to the Court. The Plaintiff did so on June 16, 2017 (ECF # 124). The Court, however, has not yet set the scope of discovery on Plaintiff's Second Amended Complaint, so no discovery has been conducted. Therefore, the Parties will not be prepared to proceed to trial in May.

WHEREFORE, Plaintiff and Defendants Javaune Adams-Gaston, Kellie Brennan, Natalie Spiert and Matthew Page, by and through counsel, request this Honorable Court to vacate the Final Pretrial and Trial Dates set via this Court's Order of April 4, 2017 (ECF #105) and reset the dates pending the decisions on the currently pending motions and the Parties' mediation conference.

Respectfully submitted,

MICHAEL DEWINE (0009181)
Ohio Attorney General

/s/ Christina L. Corl
CHRISTINA L. CORL (0067869)
Plunkett Cooney
300 East Broad Street, Suite 590
Columbus, Ohio 43215
Telephone: (614) 629-3018
Facsimile: (614) 629-3019
ccorl@plunkettcooney.com

/s/ Reid T. Caryer
REID T. CARYER (0079825)
Assistant Attorney General
Ohio Attorney General's Office
Education Section
30 East Broad Street, 16th Floor
Columbus, OH 43215
Telephone: (614) 644-7250
Facsimile: (614) 644-7634
reid.caryer@ohioattorneygeneral.gov

Counsel for Defendants

/s/ Joshua Engel

JOSHUA ENGEL (0075769)

Engel & Martin, LLC

4660 Duke Drive, Suite 101

Mason, OH 45040

Telephone: (513) 445-9600

engel@engelandmartin.com

Counsel for Plaintiff

Open.25577.60039.19981531-1